

Carlos Hernández
Mayor

Vivian Casáls-Muñoz
Council President

Jose F. Caragol
Council Vice President



Council Members
Katharine Cue-Fuente
Isis Garcia-Martinez
Paul B. Hernández
Lourdes Lozano
Carl Zogby

City Council Minutes/Summary Agenda September 25, 2018 7:00 P.M.

Call to Order

REPORT: Council President Casáls-Muñoz called meeting to order at 7:13 p.m.

Roll Call

REPORT: City Clerk, Marbelys Fatjo, called the roll with all Council Members present:

- Council President Vivian Casáls-Muñoz
- Council Vice President Jose Caragol
- Councilwoman Katharine Cue-Fuente
- Councilman Paul Hernandez
- Councilwoman Lourdes Lozano
- Councilman Carl Zogby

REPORT: The following Council Members were absent:

- Councilwoman Isis Garcia-Martinez

- Also present were:

- Lorena Bravo, City Attorney
- Mayor Carlos Hernandez

Invocation given by Marbelys Fatjo, City Clerk

REPORT: The invocation was led by Marbelys Fatjo, City Clerk.

Pledge of Allegiance to be led by Council Vice President Caragol

REPORT: The Pledge of Allegiance was led by Council Vice President Caragol.

MEETING GUIDELINES

The following guidelines have been established by the City Council:

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**
- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

REPORT: The meeting guidelines were read into the record in English by Marbelys Fatjo, City Clerk, and in Spanish by Brigette Leal, Administrative Aide, Office of the City Clerk.

PRESENTATIONS

REPORT: None.

1. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

- Items FF, GG, HH, II and JJ have been added to today's agenda.
- The proposed ordinance for Administrative Item 3A has been updated and placed on the dais for the City Council's review, along with additional backup documentation to the item.

2. CONSENT AGENDA

All items listed with letter designations are considered routine and will be enacted by one

motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

REPORT: Council President Casáls-Muñoz requested a separate discussion on Item II.

REPORT: Motion to Approve the Consent Agenda except Item II, made by Councilwoman Cue-Fuente, and seconded by Council Vice President Caragol. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent.

REPORT: Jose Sanchez, Director of Streets, requested to withdraw Item Z from the agenda.

REPORT: Motion to Reconsider Approval of the Consent Agenda made by Councilman Hernandez and seconded by Councilwoman Cue-Fuente. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent.

REPORT: Administration withdrew Item Z from the agenda.

REPORT: Motion to approve the Consent Agenda except Item II, made by Councilman Hernandez, and seconded by Council Vice President Caragol. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent..

- A. Request permission to approve the minutes of the Council Meeting held on September 11, 2018. (OFFICE OF THE CITY CLERK)
APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.
- B. Request permission to increase purchase order #2018-1261, issued to Reflections Productions, Inc., to provide services for equipment necessary for the Independence Day Celebration, by an additional amount of \$9,000, for a new total cumulative amount not to exceed \$79,631. (COMMUNICATIONS & SPECIAL EVENTS DEPT.)
APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.
- C. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Top Seal Services Corp, vendor providing the lowest quotation, for the Police Training Building Project-Roofing, in the amount of \$139,900, and further request approval of a ten percent (10%) contingency amount of \$13,900 to cover any unforeseen conditions that may arise during the project, in a total cumulative amount not to exceed \$153,800. (CONSTRUCTION AND MAINTENANCE DEPT.)
APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.
- D. Request permission to waive competitive bidding, since it is advantageous to the City due to exigent circumstances in that once the new chiller pipes were installed and the system was restarted, it was discovered that the existing air handler units were deteriorated and required replacement to avoid water leaks, and increase purchase order # 2018-1747, issued to Central Air Comfort, Inc., for unforeseen work discovered during the re-piping and upgrade of the main chiller supply lines for the first floor of City Hall, by an additional amount of \$7,300, for a new total cumulative amount not to exceed \$40,550.

(CONSTRUCTION AND MAINTENANCE DEPT.)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

- E. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Top Seal Services Corp, vendor providing the lowest quotation, for the Police K9 Building Project-Roofing, in the amount of \$11,900, and further request approval of a ten percent (10%) contingency amount of \$1,190 to cover any unforeseen conditions that may arise during the project, for a new total cumulative amount not to exceed \$13,090. (CONSTRUCTION AND MAINTENANCE DEPT.)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

- F. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Kronos Incorporated, for the service of webstaff access to Administrative Staffing (Tele-Staff) functions through the internet for fire operations in fiscal year 2018-2019, in a total cumulative amount not to exceed \$13,521.16. (FIRE DEPT.)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

- G. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Federal Eastern International, LLC, vendor providing the lowest quotation, to enhance the response of the Hialeah Police Department, as well as the ability to communicate with neighboring police departments in case of an emergency and to complete the UASI Project of Interoperability by adding microphones to forty (40) ballistic helmets that were already purchased for the City of Hialeah SWAT members, in a total cumulative amount not to exceed \$28,892.60. (FIRE DEPT.)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

- H. Request permission to waive competitive bidding, since it is advantageous to the City in that this is the only vendor who responded in time of needing an emergency repair and this is the vendor who originally installed the City's fuel management system, and issue a purchase order to Robert L. Hughes Company Incorporated, only local source for services rendered, for repair and certification of City of Hialeah fuel stations in fiscal year 2018-2019, in a total cumulative amount not to exceed \$30,000. (FLEET MAINTENANCE DEPT.)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

- I. Request permission to utilize Miami-Dade County Bid No. 8193-0/12 – *Automotive Vehicles - Prequalification*, effective through January 31, 2019, and issue a purchase order to Miami Lakes AM, LLC, doing business as Miami Lakes Chevrolet, since it is advantageous to the City, for the purchase of Chevrolet parts and accessories for City vehicles in fiscal year 2018-2019, in a total cumulative amount not to exceed \$60,000. (FLEET MAINTENANCE DEPT.)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

- J. Request permission to utilize Miami-Dade County Bid No. 5745-2/14-2 – *Parts/SVCS for Buses & SUP Equip - Prequal*, effective through March 31, 2020, and issue a purchase order to Total Truck Parts, Inc., since it is advantageous to the City, for the purchase of aftermarket original equipment manufacturer (OEM) parts for City trucks and buses in fiscal year 2018-2019, in a total cumulative amount not to exceed \$115,000. (FLEET MAINTENANCE DEPT.)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

- K. Request permission to waive competitive bidding, since it advantageous to the City, and issue a purchase order to Trimline Graphics International, Inc., vendor providing the lowest quotation, for the purchase and installation of decals for City in fiscal year 2018-2019, in a total cumulative amount not to exceed \$35,000. (FLEET MAINTENANCE DEPT.)
APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.
- L. Request permission to issue a purchase order to Sirsi Corporation, sole source vendor for support and maintenance of the Symphony software system and related reporting modules, for maintenance, support and required upgrades of the web-based integrated library system, from October 1, 2018 through September 30, 2019, in a total cumulative amount not to exceed \$36,586.11. (LIBRARY)
APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.
- M. Report of Scrivener's Error – Item D of the City Council meeting of September 11, 2018 was approved with the incorrect purchase order amount of \$5,000 for the second purchase order requested to purchase uniforms for dispatch personnel, and an incorrect total cumulative amount of \$45,000. The item is being amended to reflect the correct amount of \$7,500 for the second purchase order and a correct total cumulative amount of \$47,500. (OFFICE OF THE CITY CLERK)
APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.
- N. Proposed resolution approving a Joint Participation Agreement between Miami-Dade County and the City of Hialeah, for the improvement of Northwest 142 Street between Northwest 107 Avenue and Northwest 97 Avenue, in an amount not to exceed \$3,548,341.85; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Joint Participation Agreement, a copy of which is attached hereto and made a part hereof as Exhibit "1"; and providing for an effective date. (STREETS)
APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.
RESOLUTION NO. 2018-090
- O. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has agreed to maintain the same pricing for fiscal year 2018-2019, and issue a purchase order to VisualScape, Inc., for the landscape management at Hialeah Garden of the Arts, with services to include ground maintenance, trimming of shrubs, ground covers, trimming of trees and palms, horticultural program, pest control, fertilization and irrigation system wet check in fiscal year 2018-2019 , in a total cumulative amount not to exceed \$60,000. (DEPT. OF PARKS AND RECREATION)
APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.
- P. Request permission to waive competitive bidding since it is advantageous to the City in that this vendor has agreed to maintain the same prices from fiscal year 2016-2017 and 2018-2018, and issue a purchase order to Super Landscape & Maintenance, Inc., for landscaping services to various City facilities in fiscal year 2018-2019, in an annual total cumulative amount not to exceed \$330,000. (DEPT. OF PARKS AND RECREATION)
APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.
- Q. Request permission to renew Hialeah Bid No. 2015-16-3130-00-022 - *Apparel*, with the following vendors: Zipp Sporting Goods Inc, and Awards, LLC doing business as Trophy

World, for an additional fiscal year from October 1, 2018 through September 30, 2019, to purchase patron uniforms, in a total cumulative amount not to exceed \$25,000. On October 25, 2016, the City Council awarded this bid to these vendors with the option to extend the period of the contract for an additional contract period with the extension of the contract only occurring for three (3) consecutive fiscal years. (DEPT. OF PARKS AND RECREATION)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

- R. Request permission to renew Hialeah Bid No. 2015-16-3130-00-026 - *Sodium Hypochlorite*, awarded to Sentry Industries, Inc., since it is advantageous to the City in that the vendor has agreed to maintain the same price, for an additional fiscal year from October 1, 2018 through September 30, 2019, to purchase Sodium Hypochlorite (liquid bleach) sanitizing solution for the City's pools, fountains and aquatic centers, in a total cumulative amount not to exceed \$65,000. On October 25, 2016, the City Council awarded this bid to this vendor for a period of one year with the option to extend the period of the contract for an additional contract period with the extension of the contract only occurring for three (3) consecutive years. (DEPT. OF PARKS AND RECREATION)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

- S. Request permission to waive competitive bidding and renew Hialeah Bid No. 2015/16-3130-00-023 - *Athletic Equipment*, awarded to BSN Sports, LLC, since it is advantageous to the City in that the vendor has agreed to maintain the same price, for an additional fiscal year, from October 1, 2018 through September 30, 2019, to purchase athletic equipment, in a total cumulative amount not to exceed \$22,000. On October 25, 2016, the City Council awarded this bid to this vendor with the option to extend the period of the contract for an additional contract period with the extension of the contract only occurring for three (3) consecutive years. (DEPT. OF PARKS AND RECREATION)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

- T. Request permission to renew Hialeah Bid No. 2015/16-3130-00-024 - *Trophies*, awarded to Awards LLC, doing business as Trophy World and Millennium Awards, Inc., since it is advantageous to the City in that the vendor has agreed to maintain the same price, for the purchase of trophies, medals, and awards for the City's various sports leagues and special events, for a period of twelve (12) months commencing on October 1, 2018 through September 30, 2019, in a total cumulative amount not to exceed \$18,000. On October 25, 2016 the City Council awarded Hialeah Bid No. 2015/16-3130-00-024 - *Trophies* to these vendors for a period of twelve (12) months with option to extend the period of the contract for an additional contract period with the extension of the contract only occurring for three (3) consecutive years. (DEPT. OF PARKS AND RECREATION)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

- U. Request permission to waive competitive bidding and renew Hialeah Bid # 2014-15-8500-12-008 – *Janitorial Supplies* for a period of one year commencing on October 1, 2018 and ending on September 30, 2018, since it is advantageous to the City in that this vendor has agreed to maintain the same pricing, and issue a purchase order to East Continental Supplies, LLC, for the procurement of janitorial supplies, in a total cumulative amount not to exceed \$175,000 to be allocated through various city departments. On November 13, 2014 the City Council awarded Hialeah Bid No. 2014/15-8500-12-008- *Janitorial Supplies* to this vendor for a period of one year with the option to renew for one contract period. (PURCHASING DIV.)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

- V. Request permission to waive competitive bidding and renew Hialeah Bid # 2013-14-8500-36-013 – *Uniforms* for a period of one year commencing on October 1, 2018 and ending on September 30, 2019, since it is advantageous to the City in that this vendor has agreed to maintain the same pricing, and issue a purchase order to Royal “T” Screen Printing Corp., doing business as Unicommerce, for the purchase of uniforms, in a total cumulative amount not to exceed \$65,000 to be allocated through various City departments. On August 12, 2014, the City Council approved the award of Hialeah Bid # 2013/14-8500-36-013 – *Uniforms* to this vendor, for a period of three (3) years with option to renew for a one (1) year period. (PURCHASING DIV.)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

- W. Request permission to waive competitive bidding, since it advantageous to the City, and issue a purchase order to Core & Main LP, vendor providing the lowest quotation, for the purchase of pipe and materials, in a total cumulative amount not to exceed \$20,072.64. (DEPT. OF PUBLIC WORKS.)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

- X. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Aetna Healthcare Company, for Open Access Health Maintenance Organization (HMO) Plan for eligible employees, retired employees and dependents and Medicare Advantage Extended Service Area PPO Plan with Prescription Plan for Medicare eligible retirees and spouses, in an estimated total cumulative amount not to exceed \$11,000,000 annually for calendar year 2019. (RISK MANAGEMENT)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

- Y. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to United Healthcare Company, for an additional Medicare Advantage Plan with Prescription Plan for Medicare eligible retired employees and spouses, in an estimated total cumulative amount not to exceed \$1,440,000 annually for calendar year 2019. (RISK MANAGEMENT)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

- ~~Z. Request permission to issue a purchase order to The Corradino Group., for the construction design project of N.W 102nd Avenue from 162nd to 170th Street in fiscal year 2018-2019, for a total cumulative amount not to exceed \$340,950. On June 8, 2010, the City Council approved the recommendations of the Selection Committee for the selection of General Consultants for engineering services in response to Request for Qualifications No. 2009/10-9500-00-07 — *General Consultants for Engineering and Architectural Services*, which included this vendor, for a period of three (3) years, with the option to extend annually for a total of no more than five (5) years. (STREETS DEPT.)~~ **WITHDRAWN**

- AA. Proposed resolution approving a Joint Participation Agreement between Miami-Dade County and the City of Hialeah, for the improvement of Northwest 102 Avenue between Northwest 138 Street and Northwest 145 Place, in an amount not to exceed \$4,233,039.21; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Joint Participation Agreement, a copy of which is attached hereto and made a part hereof as Exhibit “1”; and providing for an effective date. (STREETS DEPT.)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

RESOLUTION NO. 2018-091

- BB.** Request permission to issue two (2) purchase orders to Municipal Emergency Services, Inc., sole source vendor, to provide Target Solutions, an educational training website for fire fighters-paramedics and dispatch in order for personnel to complete training courses online to be compliant with Insurance Service Organization and Department of Health requirements, with purchase order number one in an amount not to exceed \$22,645 for fire, and purchase order two in an amount not to exceed \$4,344 for dispatch in fiscal year 2018-2019, for a total cumulative expense amount not to exceed \$26,989. (FIRE DEPT.)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

- CC.** Request permission to issue a purchase order to Image Trend, Inc., sole source vendor, for a software licensing agreement, for Electronic Patient Care Reporting (ePCR) in fiscal year 2018-2019, in a total cumulative amount not to exceed \$82,056. This is the third year of a three-year contract approved by the City Council on September 27, 2016. (FIRE DEPT.)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

- DD.** Proposed resolution approving the Hialeah Public Libraries' Long Range Plan for years 2018-2021 for submittal to the State Library of the State of Florida in order to maintain eligibility as a recipient of state and federal funds; and providing for an effective date. (LIBRARY)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

RESOLUTION NO. 2018-092.

- EE.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Broward Sheriff's Office Fire Rescue Regional Logistics, for the purchase of fire suppression, fire prevention and other fire-related equipment including emergency medical equipment and supplies for the agency's fire rescue personnel during fiscal year 2018-2019, in a total cumulative amount not to exceed \$40,000. (FIRE DEPT.)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

- FF.** Proposed resolution approving the expenditure totaling an amount not to exceed fifty two thousand five hundred dollars (\$52,000.00) from the Law Enforcement Trust Fund – *State*, to purchase three (3) canines for the Hialeah Police Department Canine Unit from Metro-Dade K-9 services, lowest quoted vendor, upon such costs having been approved by the Chief of Police. (POLICE DEPT.)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

RESOLUTION NO. 2018-093.

- GG.** Request from ABC Promotions Unlimited, Inc., located at 940 South Military Trail, West Palm Beach, Florida 33415, for a Christmas Tree Sales Permit, to benefit Best Buddies, with set-up taking place on November 12, 2018 and take down on January 2, 2018, and with sales commencing on November 15, 2018 and ending on December 24, 2018, to be located at 1460 West 49 Street, Hialeah, Florida, in accordance with recommendations from the Fire Department. (OFFICE OF THE CITY CLERK)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

- HH.** Request from Elite Tent Company, on behalf of Lowe's of Hialeah, FL, Store # 2254, for a Christmas Tree Sales Permit, with set-up taking place on November 12, 2018 and take-down between December 27, 2018 and December 31, 2018, and with sales commencing on November 18, 2018 and ending on December 26, 2018, to be located at 1650 West 37

Street, Hialeah, Florida, in accordance with recommendations from the Fire Department.
(OFFICE OF THE CITY CLERK)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

- II. Request from San Lazaro Catholic Church, located at 4400 West 18th Avenue, Hialeah, Florida, for a procession permit, to host a procession on Saturday, October 13, 2018, commencing at 4:45 p.m. and ending at 6:30 p.m., beginning on church grounds, traveling down West 44th Place, ~~to West 4th Avenue, on West 4th Avenue to West 45th Street, West 45th Street to West 1st Avenue, and West 1st Avenue ending at Immaculate Concepcion Catholic Church grounds located at 4497 West 1st Avenue, South on West 16th Avenue to West 38th Place, North on 18th Avenue, and ending on San Lazaro Church grounds, with recommendation of denial by the Police Chief and the Fire Chief.~~ (OFFICE OF THE CITY CLERK)

APPROVED 6-0-1 as amended with Councilwoman Garcia-Martinez absent.

REPORT: Vivian Maria Aguila, 996 West 45th Place, addressed the City Council on behalf of San Lazaro Catholic Church.

REPORT: Hubert Ruiz, Major, Hialeah Police Department, explained the police department's concerns regarding the requested time for the event.

REPORT: Council President Casáls-Muñoz, with no opposition from the rest of the City Council, deferred this item until the end of the City Council meeting so that Ms. Aguila could have an opportunity to consult with the priest regarding any possible changes to the route or time of the event.

REPORT: Motion to Approve Item II as Amended made by Council Vice President Caragol, and seconded by Councilman Hernandez. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent.

- JJ. Request permission to utilize State of Florida Contract No. 43211500-WSCA-15-ACS - *Computer Equipment, Peripherals and Services*, effective through March 31, 2020, and issue a purchase order to MRA International, FL, Inc., for the purchase of city-wide critical core system storage, including a five (5) year warranty, maintenance and support, a controller refresh in the fourth year, and data migration of up to ten (10) terabytes, in a total cumulative amount not to exceed \$265,931.68. (INFORMATION TECHNOLOGY)

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

3. ADMINISTRATIVE ITEMS

- 3A. Second reading and public hearing of proposed ordinance amending Chapter 70 entitled "Retirement and Pension", Article IV. Employees General Retirement System, Division 4 entitled "Membership" implementing the changes to the pension plan bargained for between the Fraternal Order of Police, Lodge No. 12 and the City for police officer members, in particular revising § 70-208 entitled "Purchase of Membership Service Credit Time"; revising § 70-210 entitled "Member Contributions to Retirement Plan"; revising § 70-238 entitled "Service Retirement Allowance" in Division 5, entitled "Benefits"; and revising § 70-260 entitled "Eligibility" in Division 6, entitled "Additional Benefits for Firefighter and Police Officer Members Required by Chapters 175 and 185, Florida

Statutes and other benefits already provided”; repealing all ordinances or parts of ordinances in conflict herewith; providing for penalties hereof; providing for inclusion in the code; providing for a severability clause and providing for an effective date. (ADMINISTRATION)

Item was approved on first reading by the City Council on September 11, 2018.

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.
ORDINANCE NO. 2018-097.

REPORT: Eric Johnson, Local 1102, addressed the City Council in opposition to the approval of this item.

REPORT: Councilwoman Cue-Fuente abstained from voting. On September 25, 2018 Councilwoman Cue-Fuente filed a Form 8B Memorandum of Voting Conflict for County Municipal and Other Local Public Officers and the form has been made part of the record and is on file at the Office of the City Clerk.

REPORT: Motion to Approve Item 3A made by Council Vice President Caragol, and seconded by Councilman Hernandez. Motion passed 5-0-2 with Councilwoman Cue-Fuente having abstained from voting and Councilwoman Garcia-Martinez absent.

3B. Second reading and public hearing of proposed ordinance accepting the Right of Way Deed attached as Exhibit “1” from Florida Recycling Center, LLC, a Florida Limited Liability Company, conveying vacant land comprised of approximately 1,150 square feet or 0.026 acres in area for public highway purposes and all purposes incidental thereto; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

Item was approved on first reading by the City Council on September 11, 2018.

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.
ORDINANCE NO. 2018-098.

REPORT: Motion to Approve Item 3B made by Council Vice President Caragol, and seconded by Councilman Zogby. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent.

3C. Second reading and public hearing of proposed ordinance approving the dedication of approximately 7,006 square feet of land abutting NW 97 Avenue to Miami-Dade County for right-of-way purposes; approving the terms of dedication in substantial conformity with the deed attached hereto and made a part hereof as Exhibit 1; authorizing the Mayor and the City Clerk, as attesting witness, to execute the right of way deed on behalf of the City; repealing all ordinances or parts of ordinances in conflict herewith; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

Item was approved on first reading by the City Council on September 11, 2018.

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.
ORDINANCE NO. 2018-099.

REPORT: Motion to Approve Item 3C made by Council Vice President Caragol, and seconded by Councilwoman Cue-Fuente. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent.

- 3D. Second reading and public hearing of proposed ordinance revising the Hialeah, Fla., Land Development Code to reflect pertinent changes to the Hialeah Code and relevant changes in State law enacted since the date of the last revision; repealing all ordinances or parts of ordinances in conflict therewith; providing penalties for violation hereof; providing for inclusion in the Hialeah, Fla., Land Development Code and the Hialeah Code; providing for a severability clause and providing for an effective date. (PLANNING AND ZONING)

Item was approved on first reading by the City Council on September 11, 2018.

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.
ORDINANCE NO. 2018-100.

REPORT: Motion to Approve Item 3D made by Council Vice President Caragol, and seconded by Councilman Zogby. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent.

- 3E. Second reading and public hearing of proposed ordinance accepting the right of way deed attached as Exhibit "1" from Above Investments, LLC, a Florida Limited Liability Company, conveying vacant land comprised of approximately 80,035 square feet or 1.0837 acres in area for public highway purposes and all purposes incidental thereto; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

Item was approved on first reading by the City Council on September 11, 2018.

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.
ORDINANCE NO. 2018-101.

REPORT: Motion to Approve Item 3E made by Council Vice President Caragol, and seconded by Councilwoman Cue-Fuente. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent.

- 3F. First reading of proposed ordinance accepting the dedication of land improved with a lift station of approximately 3,575 square feet or .082 acres in area, subject to and approving the terms of the special warranty deed attached as Exhibit "1", from Countyline I LLC, a Delaware Limited Liability Company; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

APPROVED 6-0 with Garcia-Martinez absent.

REPORT: Motion to Approve Item 3F made by Councilwoman Cue-Fuente, and seconded by Council Vice President Caragol. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent. Second reading and public hearing is scheduled for October 9, 2018.

4. BOARD APPOINTMENTS

REPORT: None.

5. UNFINISHED BUSINESS

REPORT: None.

6. NEW BUSINESS:

REPORT: Mayor Hernandez addressed the City Council regarding this being the last meeting in the current fiscal year.

7. COMMENTS AND QUESTIONS

- **Sheila Marquis and Javier Marquis, 1366-1390 Palm Avenue, addressed the Mayor and City Council regarding trash being dumped in an alley next to her business.**

ZONING

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision Item

REPORT: All were duly sworn in.

Attention Applicants:

- Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

PZ 1. Second reading and public hearing of proposed ordinance rezoning property from C-1 (Restricted Retail Commercial District) to R-3-4 (Multi-Family District); and granting a variance permit to allow the construction of a 4-unit multifamily building in a substandard lot with a length of 87.50 feet, where 100 feet is the minimum required; an area of 7,040 square feet, where 7,500 square feet is the minimum required; allow a 15 foot front setback, where 25 feet are required; allow a 26% pervious area, where 30% is the minimum required; and allow a 3 foot landscape buffer, where 7 feet are required; all contra to Hialeah Code of Ordinances §§ 98-348(a), 98-589 and 98-2056(b)(1); and the City of Hialeah Landscape Manual, updated July 9, 2015, § (C)(3). Property zoned C-1 (Restricted Retail Commercial District); **located at 545 West 24 Street, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

ORDINANCE NO. 2018-102.

<i>Item was approved by the Planning and Zoning Board on August 22, 2018.</i>
<i>Planner's Recommendation: See attached planner's recommendation.</i>
<i>Owner of the Property: Gilberto Aguila, 5735 West 12th Lane, Hialeah, Florida. 33012.</i>
<i>Registered Lobbyist: Oscar Gonzalez, 7901 West 25th Avenue, Hialeah, Florida. 33016.</i>
<i>Item was approved on first reading by the City Council on September 11, 2018.</i>

REPORT: Motion to Approve Item PZ 1 made by Council Vice President Caragol, and seconded by Councilwoman Cue-Fuente. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent.

PZ 2. Second reading and public hearing of proposed ordinance granting a variance permit to allow 509 parking spaces, where 568 are required; property zoned RDD (Residential Development District); contra to Hialeah Code of Ordinances §§ 98-2189(19)b. and 98-2203(a). **Property located at 11055 West 36 Avenue, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

ORDINANCE NO. 2018-103.

<i>Item was approved by the Planning and Zoning Board on August 22, 2018.</i>
<i>Planner's Recommendation: Approval with conditions.</i>
<i>Owner of the Property: FC Hialeah Development, LLC, 11055 West 36th Avenue, Hialeah, Florida. 33018.</i>
<i>Registered Lobbyist: Alejandro Arias, Esq., 701 Brickell Avenue, Miami, Florida .33131.</i>

<i>Item was approved on first reading by the City Council on September 11, 2018.</i>
--

REPORT: Motion to Approve Item PZ 2 made by Council Vice President Caragol, and seconded by Councilwoman Lozano. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent.

PZ 3. Second reading and public hearing of proposed ordinance granting a variance permit to allow construction of a single family residence on a substandard lot with a frontage of 50 feet, where 75 feet are required; and an area of 7,166 square feet, where 7,500 square feet are required; all contra to Hialeah Code of Ordinances § 98-499. Property zoned R-1 (One Family District). **Property located at 80 West 39 Place, Hialeah Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.
ORDINANCE NO. 2018-104.

<i>Item was approved by the Planning and Zoning Board on August 22, 2018.</i>

<i>Planner's Recommendation: Approval.</i>
--

<i>Owner of the Property: Angel Ruiz (AS 29 LLC), 7441 SW 125th Court, Miami, Florida. 33183.</i>
--

<i>Item was approved on first reading by the City Council on September 11, 2018.</i>
--

REPORT: Motion to Approve Item PZ 3 made by Council Vice President Caragol, and seconded by Councilwoman Cue-Fuente. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent.

PZ 4. Second reading and public hearing of proposed ordinance granting a conditional use permit (CUP) to allow a new elementary school with a maximum of 700 students pursuant to Hialeah Code of Ordinances § 98-181; and granting a variance permit to allow 62 parking spaces, where 150 parking spaces are required; all contra to Hialeah Code of Ordinances § 98-2189(8) and (9); property zoned M-1 (Industrial District); **property located at 8101, 8155 West 28 Avenue, and 2750 West 82 Street, Hialeah, Florida;** repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.
ORDINANCE NO. 2018-105.

<i>Item was approved by the Planning and Zoning Board on August 22, 2018.</i>

<i>Planner's Recommendation: Approve CUP and variance with traffic operational plan submitted by applicant.</i>
<i>Owner of the Property: David De La Sierra, 8155 West 28th Avenue, Hialeah, Florida. 33016.</i>
<i>Registered Lobbyist: Ceasar Mestre, 7600 West 20th Avenue, #220, Hialeah, Florida. 33016.</i>
<i>Item was approved on first reading by the City Council on September 11, 2018.</i>

REPORT: Motion to Approve Item PZ 4 made by Council Vice President Caragol, and seconded by Councilwoman Cue-Fuente. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent.

PZ 5. Second reading and public hearing of proposed ordinance repealing and rescinding Hialeah, Fla., Ordinance 09-92 (November 17, 2009), that allowed a conditional use for the facility on property zoned C-2 (Liberal Retail Commercial District) formally located at 3420 West 84 Street, Hialeah, Florida and releasing the Declaration of Restrictions recorded in Official Records Book 27092 at Page 4082 of the public records of Miami-Dade County, Florida, binding upon the former facility; and granting a conditional use permit (CUP) to allow an adult medical educational facility for 50 students pursuant to Hialeah Code of Ordinances § 98-181. **Property located at 3418 West 84 Street, Hialeah, Florida**, zoned M-1 (Industrial District). Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

ORDINANCE NO. 2018-106.

<i>Item was approved by the Planning and Zoning Board on August 22, 2018.</i>
<i>Planner's Recommendation: Approval</i>
<i>Owner of the Property: Alisavan, LLC, 7906 NW 162nd Street, Miami Lakes, Florida. 33016.</i>
<i>Registered Lobbyist: Ceasar Mestre, 7600 West 20th Avenue, #220, Hialeah, Florida. 33016.</i>
<i>Item was approved on first reading by the City Council on September 11, 2018.</i>

REPORT: Motion to Approve Item PZ 5 made by Councilman Hernandez, and seconded by Council Vice President Caragol. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent.

PZ 6. Second reading and public hearing of proposed ordinance granting a special use permit (SUP) to allow the expansion of the Neighborhood Business District regulations to a property located in an activity node pursuant to Hialeah Code of Ordinance § 98-1630.8 for the sitting of a residential care and treatment facility with 38 beds on the third floor;

and granting a variance permit to allow 80% of the residential units with less than 850 square feet, where a maximum of 10% of the units can have a minimum area 850 square feet; allow front setback of 7 feet, where 10 feet built to line is the minimum required; and allow 196 parking spaces, where 408 parking spaces are required; contra to Hialeah Code §§ 98-1630.2, 98-2189(7) and (16)a., and 98-1630.3(e)(1). Property zoned C-2 (Liberal Retail Commercial District). **Property located at 7000 West 12th Avenue, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

ORDINANCE NO. 2018-107.

<i>Item was approved by the Planning and Zoning Board on August 22, 2018.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Enterprise Management Group, LLC, 7000 West 12th Avenue, #21, Hialeah, Florida 33012.</i>
<i>Registered Lobbyist: Ceasar Mestre, 7600 West 20th Avenue, #220, Hialeah, Florida. 33016.</i>
<i>Item was approved on first reading by the City Council on September 11, 2018.</i>

REPORT: Ceasar Mestre, 7600 West 20th Avenue, addressed the City Council regarding this item in order to acknowledge all who were in attendance at the meeting in support of the approval of this item.

REPORT: Motion to Approve Item PZ 6 made by Council Vice President Caragol, and seconded by Councilwoman Cue-Fuente. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent.

PZ 7. First reading of proposed ordinance rezoning property from GU (Interim District Miami-Dade County Zoning Designation) to MH (Industrial District). **Property located at 14450 NW 102 Avenue, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

<i>Item was approved by the Planning and Zoning Board on September 12, 2018.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Gonzalez Property Investments, 9390 NW 109th Street, Medley, Florida 33178.</i>
<i>Registered Lobbyist: Ceasar Mestre, 7600 West 20th Avenue, #220, Hialeah, Florida. 33016.</i>

REPORT: Motion to Approve Item PZ 7 made by Councilman Hernandez, and seconded by Council Vice President Caragol. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent. Second reading and public hearing is scheduled for October 9, 2018.

PZ 8. First reading of proposed ordinance to allow the development of an adult day care center and pharmacy in an existing industrial building; and granting a variance permit to allow 45 parking spaces, where 121 parking spaces are required; allow a rear setback of 0 feet, where 2.7 feet are required; and allow 9% pervious area, where 18% is required; contra to the latest edition of the Hialeah Landscape Manual dated July 9, 2015 paragraph (E) Table A, Commercial; and contra to Hialeah Code of Ordinances §§ 98-2189(7), and 98-1372. Property zoned M-1 (Industrial District). **Property located at 75, 91, and 95 West 21 Streets, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

<i>Item was approved with conditions by the Planning and Zoning Board on September 12, 2018.</i>
<i>Planner's Recommendation: Approval with Declaration of Restrictive Covenants limiting operations and number of employees as proffered.</i>
<i>Owner of the Property: Arsenio Viera, 1832 NW 21st Street, Miami, Florida. 33142.</i>
<i>Registered Lobbyist: Ceasar Mestre, 7600 West 20th Avenue, #220, Hialeah, Florida. 33016.</i>

REPORT: Ceasar Mestre, 7600 West 20th Avenue, addressed the City Council on behalf of La Mercedes Clinics.

REPORT: Motion to Approve Item PZ 8 made by Council Vice President Caragol, and seconded by Councilman Hernandez. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent. Second reading and public hearing is scheduled for October 9, 2018.

PZ 9. First reading of proposed ordinance granting a variance permit to allow construction of a single family residence on substandard lots (Lots 12 and 13) having a width of 40 feet, where 75 feet are required; a front setback of 20 feet for Lot 12 and 20.4 feet for Lot 13, where 30 feet is the minimum required; and an area of 5,480 square feet, where 7,500 square feet are required; all contra to Hialeah Code of Ordinances §§ 98-499 and 98-348(a). Property zoned R-1 (One Family District). **Property located at 680 East 36 Street, Hialeah Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

<i>Item was approved by the Planning and Zoning Board on September 12, 2018.</i>
<i>Planner's Recommendation: Approval.</i>

<i>Owner of the Property: Fernando Hernandez, 680 East 36th Street, Hialeah, Florida 33013.</i>
<i>Registered Lobbyist: Anthony Escarra, Esq. 16400 NW 59th Avenue, Miami Lakes, Florida. 33014.</i>

REPORT: Motion to Approve Item PZ 9 made by Council Vice President Caragol, and seconded by Councilwoman Cue-Fuente. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent. Second reading and public hearing is scheduled for October 9, 2018.

PZ 10. First reading of proposed ordinance granting a variance permit to allow a pervious area of 9% where 18% is required; and waiving the requirements for trees and for landscape islands every ten parking spaces due to physical constraints; contra to the latest edition of the Hialeah Landscape Manual dated July 9, 2015 paragraph (D)(8) Landscaped Areas in Parking Lots and Paragraph (E) Tree and Lawn Requirements by Zoning Classification, Table A. **Property located at 1625 West 49 Street, Hialeah, Florida**, zoned C-2 (Liberal Retail Commercial District); Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

<i>Item was approved by the Planning and Zoning Board on September 12, 2018.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Seritage SRC Finance, LLC, By: James Bry, 500 Fifth Avenue, Suite 1530, New York, 10110.</i>
<i>Registered Lobbyist: Peter R. Gallo, PE, 1975 NW 126th Drive, Coral Springs, Florida.</i>

REPORT: Peter Gallo, 1975 NW 126 Drive, consulting engineer who works for SEritage addressed the City Council on this item.

REPORT: Council President Casáls-Muñoz had questions regarding the Auto Center in Westland Mall.

REPORT: Motion to Approve Item PZ 10 made by Council Vice President Caragol, and seconded by Councilwoman Cue-Fuente. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent. Second reading and public hearing is scheduled for October 9, 2018.

PZ 11. First reading of proposed ordinance extending through October 9, 2019, the Special Use Permit (SUP) of a prefabricated building as a temporary sorting facility for the loading and unloading, sorting and distribution of mail packages; which use was extended and is operating through the extension granted and ending November 2, 2018 pursuant to Ordinance No. 2018-16; on Property Zoned M-1 (Industrial District). **Property located at 6001 East 8 Avenue, Hialeah Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 6-0-1 with Councilwoman Garcia-Martinez absent.

<i>Item was approved by the Planning and Zoning Board on September 12, 2018.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: United Parcel Service Inc., 6001 East 8th Avenue, Hialeah, Florida.</i>
<i>Registered Lobbyist: Rick Garcia, 8901 Atlantic Avenue, Orlando, Florida. 32824.</i>

REPORT: Motion to Approve Item PZ 11 made by Councilman Hernandez and seconded by Council Vice President Caragol. Motion passed 6-0-1 with Councilwoman Garcia-Martinez absent. Second reading and public hearing is scheduled for October 9, 2018.

REPORT: Meeting was adjourned by Council President Casáls-Muñoz at 8:29 p.m.

NEXT CITY COUNCIL MEETING: Tuesday, October 9, 2018 at 7:00 p.m.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, November 27, 2018 at 6:30 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).